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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	1/1386
First Inventor	Himmelsbach, F. et al
Title	Xanthine Derivatives, the Preparation .
Express Mail Label No.	EV298353535US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.  
See 37 CFR 1.27.
- Specification [Total Pages 56]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets       ]
- Oath or Declaration [Total Sheets       ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Reader Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of (when there is an assignee)  Attorney
11.  English Translation Document (if applicable)  Copies of IDS
12.  Information Disclosure Statement (IDS)/PTO-1449  Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: .....Prior application information: Examiner Art Unit:  
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

 Customer Number: 28501    OR     Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	<u>Timothy X. Witkowsky</u>	Registration No. (Attorney/Agent)	40,232
Signature	<u>Timothy X. Witkowsky</u>	Date	August 7, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1534.00)

## Complete if Known

Application Number	To be assigned
Filing Date	August 7, 20030
First Named Inventor	HIMMELSBACH, F. et al
Examiner Name	To be assigned
Art Unit	To be assigned
Attorney Docket No.	1/1386

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 02-2955 Deposit Account Name Boehringer Ingelheim Corporation					<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> </tr> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non-English specification</td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for ex parte reexamination</td> </tr> <tr> <td>1804 920*</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805 1,840*</td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252 410</td> <td>2252 205</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253 930</td> <td>2253 465</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254 1,450</td> <td>2254 725</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255 1,970</td> <td>2255 985</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1401 320</td> <td>2401 160</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402 320</td> <td>2402 160</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403 280</td> <td>2403 140</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453 1,300</td> <td>2453 650</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501 1,300</td> <td>2501 650</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502 470</td> <td>2502 235</td> <td>Design issue fee</td> </tr> <tr> <td>1503 630</td> <td>2503 315</td> <td>Plant issue fee</td> </tr> <tr> <td>1460 130</td> <td>1460 130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807 50</td> <td>1807 50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1806 180</td> <td>1806 180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021 40</td> <td>8021 40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809 750</td> <td>2809 375</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> </tr> <tr> <td>1810 750</td> <td>2810 375</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> </tr> <tr> <td>1801 750</td> <td>2801 375</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802 900</td> <td>1802 900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="5">Other fee (specify) _____</td> <td colspan="5"></td> </tr> <tr> <td colspan="5">*Reduced by Basic Filing Fee Paid</td> <td colspan="5">SUBTOTAL (3) (\$)</td> </tr> </tbody> </table>					Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	1051 130	2051 65	Surcharge - late filing fee or oath	1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	1053 130	1053 130	Non-English specification	1812 2,520	1812 2,520	For filing a request for ex parte reexamination	1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	1251 110	2251 55	Extension for reply within first month	1252 410	2252 205	Extension for reply within second month	1253 930	2253 465	Extension for reply within third month	1254 1,450	2254 725	Extension for reply within fourth month	1255 1,970	2255 985	Extension for reply within fifth month	1401 320	2401 160	Notice of Appeal	1402 320	2402 160	Filing a brief in support of an appeal	1403 280	2403 140	Request for oral hearing	1451 1,510	1451 1,510	Petition to institute a public use proceeding	1452 110	2452 55	Petition to revive - unavoidable	1453 1,300	2453 650	Petition to revive - unintentional	1501 1,300	2501 650	Utility issue fee (or reissue)	1502 470	2502 235	Design issue fee	1503 630	2503 315	Plant issue fee	1460 130	1460 130	Petitions to the Commissioner	1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	1806 180	1806 180	Submission of Information Disclosure Stmt	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	1801 750	2801 375	Request for Continued Examination (RCE)	1802 900	1802 900	Request for expedited examination of a design application	Other fee (specify) _____										*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) (\$)				
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SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	Timothy X. Witkowski	Registration No. (Attorney/Agent)	40,232	Telephone 203-798-4310
Signature	<i>Timothy X. Witkowski</i>			Date 08/07/2003

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